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PATENT APPLICATION
ELG054-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Group Art Unit: 2365
HURST ET AL.)
Application No. 10/619,915) Examiner: Not yet known
Filed: July 15, 2003)
For: TOUCH SENSOR WITH NON-) TYCO ELECTRONICS CORPORATION
UNIFORM RESISTIVE BAND) 307 Constitution Drive
Menlo Park, CA 94025
November 16, 2004

DISCLOSURE STATEMENT UNDER 37 CFR § 1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In fulfilling the duty of candor and good faith, the following documents are hereby disclosed to the Patent Office in accordance with 37 CFR § 1.56. It is not admitted that the information in the listed documents is material to patentability as defined in 37 CFR § 1.56(b). The Examiner is requested to consider the documents in the examination of this application.

Accompanying this statement is a Form PTO-1449 in duplicate on which the documents are listed. The Examiner is requested to return an initialed and signed copy of the form once the documents have been considered.

The following documents were cited by the European Patent Office in the International Search Report for International Application No. PCT/US2004/020581 which is a counterpart for this application. The documents were cited in categories "X" (a "document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone"), "A" (a

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Name of person signing certificate: Marquerite E. Gerstner

Signature: Marquerite E. Gerstner Date: November 16, 2004

“document defining the general state of the art which is not considered to be of particular relevance”), and “P” (a “document published prior to the international filing date but later than the priority date claimed”). A copy of the Search Report is attached.

U.S. PATENT DOCUMENTS

| <u>Document Number</u> | <u>Date</u> | <u>Name</u> | <u>Class</u> | <u>Subclass</u> | <u>Category</u> |
|------------------------|-------------|--------------|--------------|-----------------|-----------------|
| 3,911,215 A | 01/07/1975 | Hurst et al. | 178 | 18 | A |
| 4,198,539 A | 04/15/1980 | Pepper, Jr. | 178 | 18 | A |
| 5,045,644 A | 09/03/1991 | Dunthorn | 178 | 18 | A |
| 6,650,319 B1 | 11/18/2003 | Hurst et al. | 345 | 173 | A |

U.S. 6,650,319 is the counterpart of European Publication No. 0942390, also cited in the International Search Report. U.S. Patents Nos. 5,045,644 and 6,650,319 have previously been cited by Applicants in an Information Disclosure Statement mailed May 25, 2004 (the “May 25, 2004 IDS”). Therefore, these two documents are not listed on the attached Form PTO-1449.

FOREIGN PATENT DOCUMENTS

| <u>Document number</u> | <u>Date</u> | <u>Country</u> | <u>Class</u> | <u>Sub-class</u> | <u>Category</u> |
|------------------------|-------------|----------------|--------------|------------------|-----------------|
| EP 0942390 A | 03/09/1999 | Europe | G06K | 11/12 | A |
| WO 02/37408 A | 05/10/2002 | International | G06K | 11/00 | A |
| WO 2004/027593 A | 04/01/2004 | International | G06F | 3/033 | P, X |

WO 02/37408 is a counterpart for U.S. Patent No. 6,593,916, previously cited by Applicants in the May 25, 2004 IDS. WO 2004/027593 is a counterpart for U.S. Publication No. 20040061687 A1, previously cited in the May 25, 2004 IDS.

OTHER DOCUMENTS

| <u>Details of Document</u> | <u>Category</u> |
|---|-----------------|
| International Search Report for PCT/US2004/020581, mailed November 4, 2004. | - |

Copies of Documents

In accordance with the Notice dated July 11, 2003, waiving the requirement under 37 CFR § 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each cited U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003, no

copies of the cited U.S. documents are being submitted. Copies will be sent on request. Copies of the foreign documents are being submitted.

Fee

Applicant believes that because this Disclosure Statement is being submitted before the mailing of a first action on the merits, no fee is due. If this is incorrect, please charge any necessary fee to Deposit Account No. 18-0560.

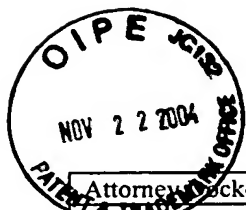
Conclusion

If there are questions, the Examiner is asked to call the undersigned.

Respectfully submitted,

A handwritten signature in cursive script, reading "Marguerite E. Gerstner".

Marguerite E. Gerstner
Registration No. 32,695
Telephone (650) 361-2483



FEE TRANSMITTAL

| | | | |
|---------------------|---------------|-----------------------|---------------|
| Attorney/Agent No.: | ELG054-US1 | First Named Inventor: | Hurst et al. |
| Application No.: | 10/619,915 | Filing Date: | July 15, 2003 |
| Examiner: | Not yet known | Group Art Unit: | 2365 |

Description of Action

This Fee Transmittal sheet is being submitted in connection with the accompanying **Information Disclosure Statement under 37 CFR 1.56**

Authorization to Charge Deposit Account

The Commissioner for Patents is hereby authorized to charge the indicated fees against, and credit any overpayments to, the following deposit account. The Commissioner is further authorized to charge any additional fees required under 37 CFR §§ 1.16 and 1.17 against the same deposit account.

Deposit Account No: **18-0560**

Deposit Account Name: **Tyco Electronics Corporation**



No fee(s) are entered below because it is believed that none are required in connection with this action. However, in the event fee(s) are required, the Commissioner is authorized to charge any fee(s) under 37 CFR §§ 1.16 and 1.17 against the above deposit account. (Check this box only if no fee(s) are entered below.)

Fee Calculations

(1) Filing fee (large entity) (if applicable)

| Description | Fee Paid (\$) |
|-------------|---------------|
|-------------|---------------|

(2) Extra claim fees (large entity) (if applicable)

Claims in specification as filed

| | No. in Specification or after Amendment | No. Included in Filing Fee or Previously Paid For | No. Extra (b) | Applicable Fee | Fee Paid |
|--|---|---|---------------|----------------|----------|
| Total Claims | | - 20 = | | x 18 (ea.) | |
| Independent Claims | | - 3 = | | x 88 (ea.) | |
| Multiple dependent claim(s) presented for first time (c) | | | No | 300 | |
| Subtotal (2) Extra claim fees | | | | | (\$) |

(3) Additional or other fees (large entity) (if applicable)

| Description | Fee Paid |
|---------------------------------------|----------|
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| Subtotal (3) Additional or other fees | (\$) |

Total Fees

| | |
|---|------|
| Total Fees Submitted (Sum of Subtotals (1), (2), and (3)) | (\$) |
|---|------|

This sheet is transmitted in duplicate.

CERTIFICATE OF MAILING (37 CFR 1.8)

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

Date of deposit: November 17, 2004

Name (printed): Marquerite E. Gerstner

Signature: Marquerite E. Gerstner

Respectfully Submitted,

Marquerite E. Gerstner
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Intellectual Property Law Dept.
307 Constitution Drive, MS R20/2B
Menlo Park, CA 94025-1164


FORM PTO 449
(Rev 8/83)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

| | |
|-------------------|-------------|
| Atty. Docket No.: | Appl'n No.: |
| ELG054-US1 | 10/619,915 |
| Applicant: | |
| Hurst et al. | |
| Filing Date: | Group: |
| 07/15/2003 | 2365 |

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

US PATENT DOCUMENTS

| * Exr. initial | Document number | Date | Name | Class | Sub-class | Filing date (if appropriate) |
|----------------|-----------------|------------|--------------|-------|-----------|------------------------------|
| | 3,911,215 A | 01/07/1975 | Hurst et al. | 178 | 18 | |
| | 4,198,539 A | 04/15/1980 | Pepper, Jr. | 178 | 18 | |
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FOREIGN PATENT DOCUMENTS

| * Exr. initial | Document number | Date | Country | Class | Sub-class | Translation enclosed (?) |
|----------------|------------------|------------|---------------|-------|-----------|--------------------------|
| | EP 0942390 A | 03/09/1999 | Europe | G06K | 11/12 | |
| | WO 02/37408 A | 05/10/2002 | International | G06K | 11/00 | |
| | WO 2004/027593 A | 04/01/2004 | International | G06F | 3/033 | |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

| Exr. initial | Details of Document | Translation enclosed (?) |
|--------------|--|--------------------------|
| | International Search Report for PTC/US2004/020581, mailed November 4, 2004 | |
| | | |
| | | |
| | | |

Examiner's signature

Date considered

* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.